

AUG 18 2008

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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

H. ISABELLE MCGARRY TRUST, OF
MARCH 19,1971,

Plaintiff - Appellant,

v.

STATE OF HAWAII; et al.,

Defendants - Appellees.

No. 08-15397

D.C. No. CV-07-00489-SOM

MEMORANDUM *

Appeal from the United States District Court
for the District of Hawaii
Susan Oki Mollway, District Judge, Presiding

Submitted August 11, 2008**

Before: CANBY, LEAVY and KLEINFELD, Circuit Judges.

The order to show cause issued on April 23, 2008 is discharged. The Clerk
shall file the opening brief received on April 22, 2008.

* This disposition is not appropriate for publication and is not precedent
except as provided by 9th Cir. R. 36-3.

** The panel unanimously finds this case suitable for decision without
oral argument. See Fed. R. App. P. 34(a)(2).

A review of the record and appellant's opening brief indicates that the questions raised in this appeal are so insubstantial as not to require further argument. *See United States v. Hooton*, 693 F.2d 857, 858 (9th Cir. 1982) (per curiam) (stating standard). Accordingly, we summarily affirm the district court's judgment.

All pending motions are denied as moot.

AFFIRMED.